UNITED NATIONS **S**

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16 November 1994

ORIGINAL: ENGLISH

LETTER DATED 16 NOVEMBER 1994 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS

I have the honour to acknowledge receipt of your communication dated 13 November 1994.*

You thereby transmit to me the letter addressed to me by the Foreign Minister of Iraq dated 12 November 1994, enclosing copies of Revolution Command Council decision No. 200 of 10 November 1994, signed by its Chairman, Mr. Saddam Hussein, and the Declaration of the Iraqi National Assembly, also of 10 November 1994, which confirm Iraq's irrevocable and unqualified recognition of the sovereignty, territorial integrity and political independence of the State of Kuwait, and of the international boundary between the Republic of Iraq and the State of Kuwait as demarcated by the United Nations Iraq-Kuwait Boundary Demarcation Commission, and confirm Iraq's respect for the inviolability of that boundary, in accordance with Security Council resolution 833 (1993).

The members of the Council welcome this development, which they consider to be a significant step in the direction towards the implementation of the relevant Security Council resolutions. They will follow closely Iraq's implementation of this decision. They will also continue to keep under review Iraq's actions to complete its compliance with all the relevant Security Council resolutions.

(Signed) Madeleine K. ALBRIGHT
President of the
Security Council

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* A similar communication, which was addressed to the Secretary-General with a request that it be circulated as a document of the Security Council, has been circulated under the symbol S/1994/1288.

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15 November 1994

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LETTER DATED 15 NOVEMBER 1994 FROM THE CHARGÉ D'AFFAIRES, A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit, herewith, a letter dated 14 November 1994 from H.E. Mr. Radoje Kontic, Prime Minister of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex

Guided by erroneous assessments, the Security Council, in its resolution 757 (1992), imposed unjust measures upon the Federal Republic of Yugoslavia. They were tightened by Security Council resolutions 787 (1992) and 820 (1993). Non-compliance with the demands in resolution 752 (1992) relating to the former Bosnia-Herzegovina was quoted as a formal reason for their imposition.

The federal Government considers that the said resolutions of the Security Council cannot serve as a serious foundation for continued maintenance of measures against the Federal Republic of Yugoslavia. In that context, we point out the following:

1. The Federal Republic of Yugoslavia has pressed most vigorously for an absolute cease-fire in the former Bosnia-Herzegovina and commencement of negotiations on a comprehensive solution to the crisis on the basis of agreement between all three constituent peoples and with respect for their equality. To that effect, it has actively participated in the negotiating process and supported all the peace plans of the international community, from the plan of Ambassador Coutilhero to the plan of the Contact Group. The Federal Republic of Yugoslavia has exerted permanent positive pressure on the Serb side in the former Bosnia-Herzegovina, including the severance of political and economic relations with the Republic of Srpska, in order to have it accept the offered solutions. However, just like the entire international community, the Federal Republic of Yugoslavia could not ensure a cessation of the civil war in the former Bosnia-Herzegovina since our country does not take part in that war nor has it any influence whatsoever on two out of the three sides involved.

2. All the units of the Army of Yugoslavia were withdrawn from the territory of the former Bosnia-Herzegovina prior to 21 May 1992, which was formally noted in the report of the Secretary-General of 30 September 1992 and Security Council resolution 787 (1992). The Army of Yugoslavia was withdrawn from the area south of Dubrovnik and the Prevlaka Peninsula was put under the control of United Nations Protection Force (UNPROFOR) observers. Following the decision of the Government of the Federal Republic of Yugoslavia of 4 August 1994, only humanitarian assistance is being delivered to this area from the Federal Republic of Yugoslavia.

3. The Federal Republic of Yugoslavia is categorically opposed to the practice of "ethnic cleansing" in whatever form and from whichever side. No such case has been registered in the territory of the Federal Republic of Yugoslavia, which has also been confirmed in numerous reports of a number of foreign missions (Conference on Security and Cooperation in Europe (CSCE), European Union (EU), International Committee of the Red Cross (ICRC)). On the contrary, about 700,000 refugees, victims of the "ethnic cleansing" in Croatia, the former Bosnia-Herzegovina and Slovenia, including tens of thousands of Muslims, Croats and others, have found shelter in the Federal Republic of Yugoslavia.

4. The Federal Republic of Yugoslavia attaches special importance to the delivery of humanitarian assistance to the former Bosnia-Herzegovina which it

also delivers within the bounds of its capacity to all those in need in that area. It cooperates actively in all actions undertaken by the organizations within the United Nations system (UNPROFOR, UNHCR, ICRC, World Food Council and others). Within the bounds of its capacity, the Federal Republic of Yugoslavia provides assistance and accommodation to refugees from the territories of former Yugoslav republics, regardless of nationality, who have fled their homes in war-affected areas.

5. Ever since the beginning of the peace operation, the Federal Government has had good cooperation with UNPROFOR. Coordination is being carried out through the State Committee for Cooperation with UNPROFOR. Hitherto cooperation has been very positively assessed, primarily by the representatives of the United Nations peace-keeping forces. The Federal Republic of Yugoslavia has accepted the Vance plan. It abides by its provisions and wishes that it be consistently implemented and complied with by all parties involved.

6. The Federal Republic of Yugoslavia has been actively cooperating in the investigation of the violations of human rights in the former Yugoslavia, particularly in its own territory. Within its competence, the Federal Ministry of Justice is entrusted with the important task of affirming and protecting the rights and freedoms of all citizens. The Yugoslav federal Government also has a Minister of Human and Minority Rights.

In accordance with its peaceful policy and endeavour to bring about a speedy resolution of the crisis in the entire territory of the former Yugoslavia, the Federal Republic of Yugoslavia has always expressed, and expresses, its readiness to enter direct negotiations with the former republics of the Socialist Federal Republic of Yugoslavia with the aim of solving outstanding issues and regulating mutual relations. It has no territorial claims against former Yugoslav republics, which was clearly formulated in the declaration of the Assembly of the Federal Republic of Yugoslavia of 27 April 1992.

The activity of the Government of the Federal Republic of Yugoslavia and its concrete contribution to the negotiating process are a clear indication that the Federal Republic of Yugoslavia has exerted genuine and lasting efforts to bring about peace. It is absurd and untenable to treat it as an opponent to the peace process and a peaceful solution of the crisis in the former Socialist Federal Republic of Yugoslavia. The response to the peace policy of the Federal Republic of Yugoslavia can by no means be the application of measures envisaged in Chapter VII of the Charter of the United Nations. The Federal Republic of Yugoslavia was not, is not and will not be a threat to international peace.

The measures against the Federal Republic of Yugoslavia were taken in connection with the civil war in the former Bosnia-Herzegovina. However, the developments have proved that these measures suit only the maintenance and escalation of the armed conflicts in the former Bosnia-Herzegovina and are espoused by those forces which are not for a peaceful solution.

The decision of the Security Council on a partial suspension of the measures is certainly a positive, but not a sufficient, step towards achieving a peaceful solution in the former Bosnia-Herzegovina. The most efficient and

speediest way to achieve a final political solution in the former Bosnia-Herzegovina is an immediate and unconditional lifting of all measures taken against the Federal Republic of Yugoslavia. This would enable it to render an even greater contribution to the speeding up and strengthening of the peace process. Treating the Federal Republic of Yugoslavia equally as the former Yugoslav republics is the surest way to bring about overall normalization of relations in the former Yugoslavia and strengthen stability in the region.

Only a principled policy that would pay heed to the constructive contribution of the Federal Republic of Yugoslavia and recognize it as an equal partner may, in the short run, help the creation of conditions for the establishment of lasting and just peace in the former Bosnia-Herzegovina. The peace option would thereby be finally consolidated, while the advocates of the war option would lose the last argument to insist on it.

As in the past, the Federal Republic of Yugoslavia will continue to render a maximum contribution to the overall negotiation process, convinced that peace is the greatest interest of all peoples living in the territory of the former Yugoslavia and that legitimate interests and rights of all can be lastingly protected only in the conditions of peace.

Considering that United Nations Security Council resolution 757 (1992) contains no demands on the Federal Republic of Yugoslavia that have not been realized, the Security Council is expected to remain consistent to its own commitments and, in the interest of its own integrity and credibility, to take an immediate decision on lifting all measures taken against the Federal Republic of Yugoslavia by the said resolution.